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കേരള ഗസറ്റ്
KERALA GAZETTE
അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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Thiruvananthapuram,
Thursday

2025 നവംബർ 06
06th November 2025
1201 തുലാം 20
20th Thulam 1201
1947 കാർത്തികം 15
15th Karthika 1947

നമ്പർ
No.
3935

GOVERNMENT OF KERALA

Home (S) Department

NOTIFICATION

G. O. (P) No. 97/2025/Home.

Dated, Thiruvananthapuram, *1st November, 2025*
15th Thulam,1201
10th Karthika, 1947.

The Government of Kerala is pleased to notify the Standard Operating Procedure (SOP), which outlines the procedural steps to be followed for the submission and processing of First Information Reports (FIRs) under Section 173 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023. The Standard Operating Procedure under Section 173 of Bharatiya

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Nagarik Suraksha Sanhita (BNSS), 2023, is attached herewith.

By order of the Governor,

BISHWANATH SINHA,
Additional Chief Secretary to Government.

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STANDARD OPERATING PROCEDURE ON THE REGISTRATION OF FIRST INFORMATION REPORT - SECTION 173 OF BNSS

(1) Introduction

The Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 has replaced Criminal Procedure Code, 1973 and the provisions of registration of a cognizable offence is now provided under section 173 of BNSS instead of section 154 of CrPC. The SOP outlines the following procedural steps which may be followed for submission and processing of FIRs.

(2) Scope

This SOP applies to all Police officials involved in the registration and management of FIRs, including Station House Officers (SHOs), investigating officers, and administrative staff.

(3) Objectives

- To streamline the process of FIR registration and make it accessible to all citizens.
- To ensure timely and efficient handling of complaints.
- To maintain a transparent and accountable system for FIR management.

(4) The First Information Report (FIR)

The phrase —First Information has not been used in the BNSS 2023; but by practice, it has come to mean the information given by any person to the Police under Section 173 of BNSS. FIR is the report prepared on the basis of such information.

(5) Legal Provisions

Section 173 of BNSS - Information in cognizable cases.

(1) Every information relating to the commission of a cognizable offence, irrespective of the area where the offence is committed, may be given orally or by electronic communication to an officer in charge of a Police Station, and if given –

(i) orally, it shall be reduced to writing by him or under his direction, and be read over to the informant; and every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the person giving it;

(ii) by electronic communication, it shall be taken on record by him on being signed within three days by the person giving it,

and the substance thereof shall be entered in a book to be kept by such officer in such form as the State Government may by rules prescribe in this behalf:

Provided that if the information is given by the woman against whom an offence under section 64, section 65, section 66, section 67, section 68, section 69, section 70, section 71, section 74, section 75, section 76, section 77, section 78, section 79 or section 124 of the

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Bharatiya Nyaya Sanhita, 2023 is alleged to have been committed or attempted, then such information shall be recorded, by a woman police officer or any woman officer:

Provided further that –

(a) in the event that the person against whom an offence under section 64, section 65, section 66, section 67, section 68, section 69, section 70, section 71, section 74, section 75, section 76, section 77, section 78, section 79 or section 124 of the Bharatiya Nyaya Sanhita, 2023 is alleged to have been committed or attempted, is temporarily or permanently mentally or physically disabled, then such information shall be recorded by a police officer, at the residence of the person seeking to report such offence or at a convenient place of such person's choice, in the presence of an interpreter or a special educator, as the case may be;

(b) the recording of such information shall be video graphed;

(c) the police officer shall get the statement of the person recorded by a Magistrate under clause (a) of sub-section (6) of section 183 as soon as possible.

(2) A copy of the information as recorded under sub-section (1) shall be given forthwith, free of cost, to the informant or the victim.

(3) Without prejudice to the provisions contained in section 175, on receipt of information relating to the commission of any cognizable offence, which is made punishable for three years or more but less than seven years, the officer in charge of the police station may with the prior permission from an officer not below the rank of Deputy Superintendent of Police, considering the nature and gravity of the offence,-

(i) proceed to conduct preliminary enquiry to ascertain whether there exists a prima facie case for proceeding in the matter within a period of fourteen days; or

(ii) proceed with investigation when there exists a prima facie case.

(4) Any person aggrieved by a refusal on the part of an officer in charge of a police station to record the information referred to in sub-section (1), may send the substance of such information, in writing and by post, to the Superintendent of Police concerned who, if satisfied that such information discloses the commission of a cognizable offence, shall either investigate the case himself or direct an investigation to be made by any police officer subordinate to him, in the manner provided by this Sanhita, and such officer shall have all the powers of an officer in charge of the police station in relation to that offence failing which such aggrieved person may make an application to the Magistrate.

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(6) Object of an FIR.

The principal object of FIR is only to make “information” to the police officer to set the criminal law in motion, obtain early information of an alleged criminal activity and to record the circumstances before there is time for such circumstances to be forgotten or embellished.

(7) Registering an FIR

The flow of steps of registration of an FIR are illustrated as below which may vary depending upon the actual circumstances of the case:-

(i) An informant can approach any Police Station (PS) irrespective of the area where the offence is committed.

(ii) If the place of occurrence (PO) falls under the local jurisdiction of the Police Station where the informant is physically present to give the information orally, the SHO will take further action as per Section 173(1)(i) BNSS.

Step 1: Orally given information should be reduced to writing and be read over to the informant.

Step 2: Every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the informant.

Step 3: The substance of such information will be entered in a book in such form as the State Government may by rules prescribe in this behalf.

Step 4: A copy of the information as recorded (FIR) shall be given forthwith, free of cost, to the informant or the victim.

(8) Lodging a Zero FIR under BNSS

Zero FIR allows victims to file FIRs at any Police Station, irrespective of jurisdiction, ensuring swift and barrier-free access to legal recourse. This change is particularly beneficial for victims in urgent or threatening situations, facilitating immediate police action and aiding in the timely preservation of evidence.

Procedures for registering Zero FIR

Step 1: A complainant approaches any Police Station irrespective of territorial jurisdiction (173(1) BNSS) to complain.

Step 2: On the receipt of any information regarding the commission of a cognizable offence which has been committed outside of the territorial jurisdiction of that Police Station, the SHO or the officer on duty records the details of the complaint in the Zero FIR register irrespective of the jurisdiction, and shall register the case as Zero FIR or ‘0’ FIR under relevant sections of law.

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Step 3: After fulfilling the requirements under section 173 BNSS, the officer registers the Zero FIR. The FIR number is prefixed with "Zero" to indicate it is a Zero FIR. A copy of the information as recorded under subsection (1) shall be given forthwith, free of cost, to the informant or the victim as per section 173(2) BNSS. After the registration of Zero FIR, if necessary, a primary investigation may be done by the Investigation officer of the same police station (for example, Medical Examination of a Rape victim).

Step 4: The officer forwards the Zero FIR to the police station having jurisdiction over the place of the incident.

Step 5: The concerned Police Station receives the Zero FIR and reregisters it as a regular FIR in their records.

Step 6: The SHO assigns the FIR to an investigating officer for further action.

Step 7: The investigating officer proceeds with the investigation as per standard procedures under BNSS.

Step 8: Regular updates on the investigation are provided to the complainant.

(9) e-FIR Registration

The introduction of e-FIR enables the online filing of FIRs, broadening accessibility and convenience for the public. By leveraging digital platforms, e-FIR minimizes the need for physical presence at Police Stations, thereby reducing delays and administrative burdens.

Procedures for registering e-FIR

Step 1: The complainant logs into the official police e-FIR portal (Thuna Portal or Pol App) or police website or may send the complaint/ information to the Police Station concerned through any electronic communication.

Step 2: The complainant fills in the required details or submits the information connected with his complaint, including personal information, details of the incident, and any supporting documents or evidence. The message so received electronically may be downloaded and kept in a computer in the Police Station. The electronic information relating to the commission of a cognizable offence may be entered in the e-complaint / e- FIR register or as prescribed by the head of the department.

Step 3: The submitted e-FIR is forwarded to the investigation officer for initial verification. The investigation officer complies the Section 173 (1), (i), (ii) - (a)(b)(c). However, If the nature and gravity of the information sent to a Police Station through electronic communication require immediate action/ interference by the Police, the matter may be registered on behalf of the complainant by the Investigation Officer himself after verifying the facts and circumstances of the information.

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Step 4: If the information is sent through electronic communication, the same shall only be taken on record by the police official, being signed within three days by the person giving it, which means after signing the same, the FIR will be registered.

Step 5: A copy of the FIR is to be given to the complainant. As per section 173(2) BNSS, a copy of the information as recorded under sub-section (1) shall be given forthwith, free of cost, to the informant or the victim.

Step 6: The SHO of the concerned police station reviews the FIR and assigns it to an investigating officer.

Step 7: The investigating officer conducts the investigations as per the standard operating procedures.

(10) Preliminary Enquiry - Section 173 (3) of BNSS

An express provision has been made in the BNSS, 2023 to enable the police to conduct preliminary enquiry in certain categories of cases. The objective of such provision is to prevent false and malicious prosecution. According to Section 173 (3) BNSS, in certain offences which are made punishable for three years or more but less than seven years, the SHO of the Police Station may with the prior permission from an officer not below the rank of Deputy Superintendent of Police, considering the nature and gravity of the offence;

(i) proceed to conduct Preliminary Enquiry (PE) to ascertain whether there exists a prima facie case for proceeding in the matter within a period of fourteen days: or
(ii) proceed with investigation when there exists a prima facie case.

However, it may be pertinent to mention here the Constitution Bench judgment in Lalita Kumari vs. Govt. of UP. For ready reference, the operational part is quoted here under: -

"As to what type and in which cases preliminary inquiry is to be conducted will depend on the facts and circumstances of each case. The category of cases in which preliminary inquiry may be made are as under:

(a)Matrimonial disputes/ family disputes

(b) Commercial offences

(c) Medical negligence cases

(d) Corruption cases

(e) Cases where there is abnormal delay/laches in initiating criminal prosecution, for example, over 3 months delay in reporting the matter without satisfactorily explaining the reasons for the delay. The aforesaid are only illustrations and not exhaustive of all conditions which may warrant preliminary inquiry".

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Note: Concerned officers should also take note of Section 199(c) of the Bharatiya Nyaya Sanhita, 2023 (BNS) before a decision as to the conduct of PE is taken. When it comes to the question of conducting PE, in cases where the offence has been committed outside the local jurisdiction of the Police Station, the PE if required/applicable under the provisions of BNSS, ideally should be carried out by the destination PS (having jurisdiction U/s 175(1) BNSS).

Procedures of Preliminary Enquiry

(a) The SHO shall register a case upon receipt of any information if he is satisfied that there exists a prima facie case regarding the commission of a cognizable offence from the contents of the report.

(b) However, in case the SHO doubts the existence of a prima facie case, he, instead of registering an FIR, may take steps to conduct a preliminary enquiry into the matter. It is important to note that such enquiry can be conducted only in cases where the alleged offence is punishable with an imprisonment of three years or more but less than seven years.

(c) In case the SHO decides to conduct a preliminary enquiry on the matter he has to take the following steps.

(i) He shall enter the facts in a Station Diary of the Police Station.

(ii) He will seek the permission of jurisdictional SDPO/ACP to initiate a preliminary enquiry immediately, but not exceeding 48 hours after receipt of such information.

(iii) The jurisdictional SDPO/ACP on receipt of such request may permit or decline the conduct of such preliminary enquiry, as soon as possible, but not exceeding 48 hours from the receipt of such request.

(iv) In case the SDPO/ACP declines to accord such permission for preliminary enquiry, he shall record his reason in writing for such refusal and communicate the same to the SHO.

(v) On receipt of permission from SDPO/ACP, the SHO may himself conduct the preliminary enquiry or cause it to be enquired by his subordinate officer, of and above the rank of ASI.

(vi) SHO must ensure that the preliminary enquiry is completed within the statutary period of 14 days from the date of receipt of the information, as prescribed under section 173 (3).

(vii) It may be noted that the objective of such Preliminary Enquiry is not to ascertain the veracity of the allegation. The enquiring officer has to verify if the incident

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narrated in the report has taken place or not. The questions like who committed the offence and to what extent are not covered under the ambit of the preliminary enquiry.

(viii) The Police officer conducting the enquiry may visit the spot, and examine the complainant and the persons acquainted with the facts and circumstances of the case.

(ix) The Enquiring Officer shall submit a report to the SHO of the Police Station regarding actions taken during the enquiry and his opinion about the occurrence of the alleged incident and whether there exists a prima-facie cognizable case.

(x) The result of such Preliminary Enquiry shall be entered in a 'Preliminary Enquiry Register' kept in the Police Station by the Officer in Charge / any officer so entrusted for the purpose. Registration or non-registration of the case will be decided on the outcome of the Preliminary Enquiry.

(xi) While registering the case after the preliminary enquiry, the original written report submitted by the complaint shall be registered as FIR.

(xii) The time consumed for the preliminary enquiry shall be duly mentioned in the FIR form as well as the case diary.

(xiii) The result of such Preliminary Enquiry and consequent steps taken by the SHO shall also be intimated to the complainant/informant under intimation to the SDPO/ACP.

(xiv) This provision is not applicable on a complaint/case received directly from the cognizance taken Magistrate.

(xv) Preliminary enquiry is not required upon registration of Zero FIRs by the non-jurisdictional Police Station registering Zero FIR. However, the jurisdictional Police Station may conduct such preliminary enquiry in deserving cases, before re-registering FIR.

(xvi) Where a case has already been registered by order of the Court or any authority, no further Preliminary Enquiry is necessary.

(xvii) It may be noted that as per Section 18 A of the SC and ST (PoA) Act, no preliminary enquiry can be conducted.

Responsibility of Preliminary Enquiry

(a) All SDPOs/SHOs shall maintain the complete record of proceedings conducted in any preliminary enquiry.

(b) It will be the responsibility of SHO to see that the preliminary enquiry is completed within the statutory period of 14 days from the date of receipt of the information.

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(c) SDPO/DPC to review preliminary enquiries conducted in his jurisdiction during the monthly crime review meeting and take corrective measures, if any.

(11) Remedy for citizens for non-registration of e-FIR and Zero FIR by a Police Officer.

The Police Officer has no power to refuse to enter the received information given to him in an FIR and to take adequate action on the commission of cognizable offence. But he can refuse to record the FIR, if the information given is vague or not adequate enough to enable him to commence an investigation.

(a) Remedy under Section 173 (4) BNSS:-

As per Section 173(4) BNSS, "any person aggrieved by a refusal on the part of an officer in charge of a Police Station to record the information referred to in subsection (1), may send the substance of such information, in writing and by post, to the District Police Chiefs concerned, who, if satisfied that such information discloses the commission of a cognizable offence, shall either investigate the case himself or direct an investigation to be made by any Police Officer subordinate to him, in the manner provided by this Sanhita, and such officer shall have all the powers of an officer in charge of the police station on that offence, failing which such aggrieved person may make an application to the Magistrate".

(b) Remedy under Section 199 BNS:

As per Section 199 BNS -Public Servant disobeying direction under law. "Whoever, being a public servant —

(i) knowingly disobeys any direction of the law which prohibits him from requiring the attendance at any place of any person for the purpose of investigation into an offence or any other matter; or

(ii) knowingly disobeys, to the prejudice of any person, any other direction of the law regulating the manner in which he shall conduct such investigation; or

(iii) fails to record any information given to him under sub-section (1) of section 174 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in a cognizable offence punishable under section 64, section 65, section 66, section 67, section 68, section 71, section 73, section 77, section 124 or section 143 or section 144, shall be punished with rigorous imprisonment for a term which shall not be less than six months but which may extend to two years, and shall also be liable to fine."

(12) General Instructions

If the information discloses the commission of a cognizable offence, FIR must be recorded. In all cases, whenever the FIR is registered, the SHO must mandatorily ensure that a copy of the FIR is given forthwith, free of cost, to the informant or the victim. If any person

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aggrieved by a refusal on the part of SHO to record an FIR approaches the Superintendent of Police (DPC) in the manner stipulated under Section 173 (4) BNSS, the concerned SP (DPC) shall take further action accordingly. Registration of FIR is one of the most important processes in the criminal justice delivery system.

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